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| **Concept** | **Variable name** | **Variable** | **Values/Notes** |
| Patient brokering law exists | pb\_statelaw | Patient brokering law identified | 1 = Yes  0 = No |
| Deceptive marketing law exists | dm\_statelaw | Deceptive marketing law identified | 1 = Yes  0 = No |
| Patient brokering law dates | pb\_effdate | Patient brokering law – effective date | Date |
|  | pb\_enact2 | Patient brokering effective and enacted dates are different | 1 = Yes  0 = No |
|  | pb\_enactdate | Patient brokering law – enacted date | Date |
| Patient brokering law verbiage | pb\_explicit | Patient brokering law explicitly mentions “patient brokering” | 1 = “Yes”, law explicitly mentions patient brokering, either in the full body of the legislative text, or in the title of the legislative text.  0 = “No”, law does not explicitly mention patient brokering, either in the full body of the legislative text, or in the title of the legislative text. This also includes any implicit mention of patient brokering by defining the practice, but not specifying it by name. |
|  | pb\_referral | PB law mentions referrals to substance use disorder treatment facilities | 1 = Yes  0 = No |
| Patient brokering law – covered entities (informed by NAMSDL model law) | pb\_person | PB law mentions person as covered entity | 1 = Yes  0 = No |
|  | pb\_licensedprovider | PB law mentions licensed health care provider as covered entity | 1 = Yes  0 = No |
|  | pb\_healthcarefacility | PB law mentions health care facility as covered entity | 1 = Yes  0 = No |
|  | pb\_soberhome | PB law mentions sober living home as covered entity | 1 = Yes  0 = No |
|  | pb\_licensedfacility | PB law mentions licensed alcoholism or drug abuse recovery and treatment facility as covered entity | 1 = Yes  0 = No |
|  | pb\_certifiedprogram | PB law mentions certified alcohol or other drug program as covered entity | 1 = Yes  0 = No |
|  | pb\_owner | PB law mentions owner, partner, officer, director, or shareholder (>10%) of licensed facility or certified program as covered entity | 1 = Yes  0 = No |
|  | pb\_sudprovider | PB law mentions provider (purported or otherwise) of SUD services as covered entity | 1 = Yes  0 = No |
|  | pb\_otherentity | PB law mentions other entity (other than person, licensed provider, health care facility, sober home, licensed facility, certified program, owner, or SUD provider) as covered | 1 = Yes  0 = No |
|  | pb\_entitynotspec | PB law does not specify which entities are covered by law | 1 = Yes  0 = No |
| Patient brokering law – covered activities (informed by NAMSDL model law) | pb\_paying | PB law mentions paying offerings or paying for referrals | 1 = Yes  0 = No |
|  | pb\_receiving | PB law mentions receiving offerings or referrals | 1 = Yes  0 = No |
|  | pb\_soliciting | PB law mentions soliciting offerings or referrals | 1 = Yes  0 = No |
|  | pb\_aidabet | PB law mentions aiding and abetting referrals | 1 = Yes  0 = No |
| Patient brokering law – types of prohibited offerings | pb\_benefit | PB law mentions prohibiting benefits | 1 = Yes  0 = No |
|  | pb\_bonus | PB law mentions prohibiting bonuses | 1 = Yes  0 = No |
|  | pb\_bribe | PB law mentions prohibiting bribes | 1 = Yes  0 = No |
|  | pb\_cash | PB law mentions prohibiting cash offerings | 1 = Yes  0 = No |
|  | pb\_commission | PB law mentions prohibiting commissions | 1 = Yes  0 = No |
|  | pb\_direct | PB law mentions prohibiting direct offerings | 1 = Yes  0 = No |
|  | pb\_indirect | PB law mentions prohibiting indirect offerings | 1 = Yes  0 = No |
|  | pb\_inkind | PB law mentions prohibiting in-kind offers | 1 = Yes  0 = No |
|  | pb\_kickback | PB law mentions prohibiting kickbacks | 1 = Yes  0 = No |
|  | pb\_rebate | PB law mentions prohibiting rebates | 1 = Yes  0 = No |
|  | pb\_fee | PB law mentions prohibiting fees or split fee arrangements | 1 = Yes  0 = No |
|  | pb\_otheroffer | PB law mentions prohibiting other types of offerings (other than bonuses, bribes, cash offerings, commissions, direct offerings, indirect offerings, in-kind offers, kickbacks, rebates, fees, or split fee arrangements) | 1 = Yes  0 = No |
|  | pb\_offernone | PB law does not explicitly name any type of prohibited offering | 1 = Yes  0 = No |
|  | pb\_travel | PB law mentions prohibiting covering travel expenses, including direct or indirect purchasing of flights | 1 = Yes  0 = No  Missing if pb\_indirect == 0 |
|  | pb\_rent | PB law mentions prohibiting payment for a patient’s rent or housing | 1 = Yes  0 = No  Missing if pb\_indirect == 0 |
|  | pb\_familypayment | PB law mentions prohibiting payment to a family member or significant other while patient is in treatment | 1 = Yes  0 = No  Missing if pb\_indirect == 0 |
|  | pb\_otherindirect | PB law mentions prohibiting some other type of indirect offering (other than travel or family payment) | 1 = Yes  0 = No  Missing if pb\_indirect = 0 |
| Patient brokering law – exceptions (informed by NAMSDL model law) | pb\_exc\_services | PB law only applies to actions related to providing or offering SUD services | 1 = Yes  0 = No |
|  | pb\_exc\_discount | PB law does not apply to “discount, payment, waiver of payment, or payment practice not prohibited by U.S.C. § 1320a-7b(b) or regulations” | 1 = Yes  0 = No |
|  | pb\_exc\_comp | PB law does not apply to “Compensation within a group practice so long as not with persons who are not members of the group practice” | 1 = Yes  0 = No |
|  | pb\_exc\_consult | PB law does not apply to “Payments to a health care provider or health care facility for professional consultation services" | 1 = Yes  0 = No |
|  | pb\_exc\_comm | PB law does not apply to “Commissions (fees or other remuneration) lawfully paid to insurance agents” | 1 = Yes  0 = No |
|  | pb\_exc\_ins | PB law does not apply to “Payments by a health insurer who reimburses SUD goods or services” | 1 = Yes  0 = No |
|  | pb\_exc\_Medicare | PB law does not apply to “Payments to or by certain health care providers who have contracted with other providers or Medicare/Medicaid to provide SUD services” | 1 = Yes  0 = No |
|  | pb\_exc\_info | PB law does not apply to “Payments by certain health care providers to a health, mental health, or substance use disorder information service that provides information upon request and without charge” | 1 = Yes  0 = No |
|  | pb\_exc\_byHMO | PB law does not apply to “Lawful payments by HMO or health insurer for SUD services” | 1 = Yes  0 = No |
|  | pb\_exc\_toHMO | PB law does not apply to “Lawful payments to or by a provider by an HMO or health insurer as a payment or refund” | 1 = Yes  0 = No |
|  | pb\_exc\_lawful | PB law does not apply to “Activity that at the time activity was committed would have been lawful” | 1 = Yes  0 = No |
|  | pb\_exc\_nosteer | PB law does not apply to “Activity conducted by properly identified individuals (either marketer or clinician) done with no effort to steer or lead the potential patient.” | 1 = Yes  0 = No |
|  | pb\_exc\_other | PB law contains another exception | 1 = Yes  0 = No |
|  | pb\_exc\_othertext | Details of other exception to PB law | Free text  Missing if pb\_exc\_other ==0 |
| Patient brokering law – laboratory involvement | pb\_labtest | PB law mentions lab testing used by SUD treatment facilities | 1 = Yes  0 = No |
|  | pb\_labnetwork | PB law mentions lab in or out of network status | 1 = Yes  0 = No  Missing if pb\_lab ==0 |
|  | pb\_labconfirm | PB law mentions confirmatory lab testing | 1 = Yes  0 = No  Missing if pb\_lab ==0 |
|  | pb\_labother | PB law mentions some other aspect of lab testing | 1 = Yes  0 = No  Missing if pb\_lab ==0 |
|  | pb\_labothertext | Details of other aspect of lab testing detailed in PB law | Free text  Missing if pb\_labother ==0 |
| Patient brokering law intention | pb\_intent | PB law differentiates between intentionally and accidentally receiving or soliciting referrals | 1 = “Yes”, law differentiates between intentionally (either using that exact term, or also knowingly or willfully) and accidentally receiving or soliciting referrals.  0 = No |
| Patient brokering law violation | pb\_felony | Violation of PB law can be considered felony | 1 = Yes  0 = No or not mentioned |
|  | pb\_misdemeanor | Violation of PB law can be considered misdemeanor | 1 = Yes  0 = No or not mentioned |
|  | pb\_unspecviolation | PB law does not specify whether violation can be classified as felony or misdemeanor | 1 = Yes  0 = No or not mentioned |
|  | pb\_criminal | Violation of PB law is criminal | 1 = Yes  0 = No or not mentioned |
|  | pb\_civil | Violation of PB law is civil | 1 = Yes  0 = No or not mentioned |
|  | pb\_profbreach | Violation of PB law is breach of professional regulation standards | 1 = Yes  0 = No or not mentioned |
|  | pb\_crimcivilunspec | PB law does not specify whether violation is criminal, civil, and/or breach of professional standards | 1 = Yes  0 = No |
| Patient brokering law penalty | pb\_penalty | PB law specifies what kind of penalty is associated with patient brokering | 1 = Yes  0 = No |
|  | pb\_fine | Fine associated with violation of PB law | 1 = Yes  0 = No or not mentioned  Missing if pb\_penalty ==0 |
|  | pb\_licensetemp | Temporary license revocation associated with violation of PB law | 1 = Yes  0 = No or not mentioned  Missing if pb\_penalty ==0 |
|  | pb\_licenseperm | Permanent license revocation associated with violation of PB law | 1 = Yes  0 = No or not mentioned  Missing if pb\_penalty ==0 |
|  | pb\_imprisonment | Prison or jail associated with violation of PB law | 1 = Yes  0 = No or not mentioned  Missing if pb\_penalty ==0 |
|  | pb\_otherpenalty | Penalty other than fine, license revocation, or imprisonment associated with violation of PB law | 1 = Yes  0 = No or not mentioned  Missing if pb\_penalty ==0 |
|  | pb\_magnitudefine | PB law specifies magnitude of fines associated with violations of PB law | 1 = Yes  0 = No  Missing if pb\_fine == 0 |
|  | pb\_sentence | Duration of prison sentence associated with violation of PB law | Free text  Missing if pb\_imprisonment == 0 |
|  | pb\_penaltytext | Type of other penalty associated with PB law violation | Free text  Missing if pb\_otherpenalty==0 |
| Patient brokering law context | pb\_funding | PB law mentions associated funding or funding mechanisms | 1 = Yes  0 = No |
|  | pb\_othercontext | PB law mentions other relevant context (e.g., regulatory body) that may affect its implementation | 1 = Yes  0 = No |
| Deceptive marketing law dates | dm\_effdate | Deceptive marketing law – effective date | Date |
|  | dm\_enactdate | Deceptive marketing law – enacted date | Date |
|  | dm\_enact2 | Patient brokering effective and enacted dates are different | 1 = Yes  0 = No |
| Deceptive marketing law – covered activities | dm\_materials | Deceptive marketing law mentions marketing and/or advertising activities | 0 = marketing only  1 = advertising only  2 = marketing and advertising  3 = no, law does not specify |
|  | dm\_discloseservices | Deceptive marketing law requires facilities or providers to clearly disclose what methods, treatments, and services are provided or used | 1 = Yes, law specifically mentions that facilities or providers must disclose types of methods, treatments, or services that are provided or used. Any mention of such suffices; a law that provides detailed lists of potential methods, treatments, or services that could be disclosed is coded the same as a state that simply requires facilities or providers to disclose methods, treatments, or services that are provided.  0 = No |
|  | dm\_treatmentcats | Deceptive marketing law requires facilities or providers to accurately detail categories of treatment identified by state licensing laws | 1 = Yes, law has any mention of a requirement for a state-regulated facility or provider to accurately detail categories of treatment regulated by state licensing laws.  0 = No, law does not mention a requirement for a state-regulated facility or provider to accurately detail categories of treatment, nor does it provide a reference to state licensing laws. |
|  | dm\_contract | Deceptive marketing law states what is allowed when entering into a contract between a marketer and treatment provider | 1 = Yes  0 = No, law does not state any permissions or restrictions specifically related to contracts between marketing providers and treatment providers, or if the law does not explicitly refer to marketing providers and treatment providers (i.e., other entities are named). |
|  | dm\_contracttext | Details on what the deceptive marketing law states about contracts between marketers and treatment providers | Free text  Missing if dm\_contract ==0 |
|  | dm\_licensure | Deceptive marketing law mentions that state licensure laws apply to SUD treatment marketing services | 1 = Yes, law provides a specific mention, outlines, or points to what state licensure laws apply to substance use disorder marketing services  0 = No, law neither provides any specific mention, nor outlines, nor points to what state licensure laws apply to substance use disorder marketing services. |
|  | dm\_licensurepenaltysusp | Deceptive marketing law mentions suspension of license for violations pertaining to SUD treatment marketing | 1 = Yes  0 = No  Missing if dm\_licensure ==0 |
|  | dm\_licensurepenaltlyterm | Deceptive marketing law mentions termination of license for violations pertaining to SUD treatment marketing | 1 = Yes  0 = No  Missing if dm\_licensure ==0 |
|  | dm\_licensurepenaltyna | Deceptive marketing law does not mention any licensing penalty for violations pertaining to SUD treatment marketing | 1 = Yes  0 = No  Missing if dm\_licensure ==0 |
|  | dm\_levels | Deceptive marketing law requires facilities or providers to clearly disclose levels of care as identified by state licensing laws | 1 = Yes, law states that there are any requirements for facilities or providers to fully disclose levels of care and a specific reference to where these are identified by state licensing laws  0 = No  Clear disclosure of levels of care, per the NAMSDL Model Patient Protection and Treatment Ethics Act, means that the law clearly communicates both treatment settings and levels of care to consumers. |
|  | dm\_los | Deceptive marketing law requires providers to clearly disclose average lengths of stay | 1 = Yes, law explicitly requires facilities or providers to clearly disclose average lengths of stay  0 = No  Clear disclosure of the average length of stay, per the NAMSDL Model Patient Protection and Treatment Ethics Act, refers to the average length of stay in the preceding twelve-month period and provided in plain language that is easy to understand. |
|  | dm\_willingly | Deceptive marketing law mentions willingly making false or misleading statements related to SUD treatment facilities | 1 = Yes  0 = No |
|  | dm\_knowingly | Deceptive marketing law mentions knowingly making false or misleading statements related to SUD treatment facilities | 1 = Yes  0 = No |
|  | dm\_intent | Deceptive marketing law mentions intentionally making false or misleading statements related to SUD treatment facilities | 1 = Yes  0 = No |
|  | dm\_housing | Deceptive marketing law mentions making a false or misleading statement about status as a licensed residential treatment provider vs providing housing along outpatient services | 1 = Yes  0 = No |
|  | dm\_network | Deceptive marketing law mentions making a false or misleading statement about status as an in or out of network provider | 1 = Yes  0 = No |
|  | dm\_relationship | Deceptive marketing law mentions making a false or misleading statement about relationships between treatment providers and marketing entities | 1 = Yes  0 = No |
|  | dm\_redirects | Deceptive marketing law mentions making Internet address redirects | 1 = Yes  0 = No |
|  | dm\_nature | Deceptive marketing law mentions making a false or misleading statement about nature of services provided | 1 = Yes  0 = No |
|  | dm\_leadgen | Deceptive marketing law mentions lead generation | 1 = Yes  0 = No |
|  | dm\_identity | Deceptive marketing law mentions making a false or misleading statement about the identity of any treatment provider | 1 = Yes  0 = No |
| Deceptive marketing law violation | dm\_felony | Violation of DM law can be considered felony | 1 = Yes  0 = No or not mentioned |
|  | dm\_misdemeanor | Violation of DM law can be considered misdemeanor | 1 = Yes  0 = No or not mentioned |
|  | dm\_unspecviolation | DM law does not specify whether violation can be classified as felony or misdemeanor | 1 = Yes  0 = No or not mentioned |
|  | dm \_criminal | Violation of DM law is criminal | 1 = Yes  0 = No or not mentioned |
|  | dm \_civil | Violation of DM law is civil | 1 = Yes  0 = No or not mentioned |
|  | dm \_profbreach | Violation of DM law is breach of professional regulation standards | 1 = Yes  0 = No or not mentioned |
|  | dm\_crimcivilunspec | DM law does not specify whether violation is criminal, civil, and/or breach of professional standards | 1 = Yes  0 = No |
| Deceptive marketing law penalty | dm \_fine | Fine associated with violation of DM law | 1 = Yes  0 = No or not mentioned |
|  | dm \_licensetemp | Temporary license revocation associated with violation of DM law | 1 = Yes  0 = No or not mentioned |
|  | dm \_licenseperm | Permanent license revocation associated with violation of DM law | 1 = Yes  0 = No or not mentioned |
|  | dm \_imprisonment | Prison or jail associated with violation of DM law | 1 = Yes  0 = No or not mentioned |
|  | dm \_otherpenalty | Penalty other than fine, license revocation, or imprisonment associated with violation of DM law | 1 = Yes  0 = No or not mentioned |
|  | dm\_magnitudefine | DM law specifies magnitude of fines associated with violations of DM law | 1 = Yes  0 = No  Missing if dm \_fine == 0 |
|  | dm \_increasingfine | DM law specifies fines that increase with number of affected patients | 1 = Yes  0 = No  Missing if dm \_magnitudefine ==0 |
|  | dm \_sentence | Duration of prison sentence associated with violation of DM law | Free text  Missing if dm \_imprisonment == 0 |
|  | dm \_penaltytext | Type of other penalty associated with DM law violation | Free text  Missing if dm \_otherpenalty==0 |
| Patient brokering law context | dm \_funding | DM law mentions associated funding or funding mechanisms | 1 = Yes  0 = No |
|  | dm \_othercontext | DM law mentions other relevant context (e.g., regulatory body) that may affect its implementation | 1 = Yes  0 = No |